

**COMMISSION DIRECTIVE**

|                        |                                     |            |                         |
|------------------------|-------------------------------------|------------|-------------------------|
| ADMINISTRATIVE MATTERS | <input type="checkbox"/>            | DATE       | <u>January 31, 2007</u> |
| MOTOR CARRIER MATTERS  | <input type="checkbox"/>            | DOCKET NO. | <u>2005-386-E</u>       |
| UTILITIES MATTERS      | <input checked="" type="checkbox"/> |            |                         |

**SUBJECT:**

DOCKET NO. 2005-386-E - Petition of the Office of Regulatory Staff to Establish Dockets to Consider Implementing the Requirements of Section 1252 (Smart Metering) of the Energy Policy Act of 2005 – Discuss this matter with the Commission.

**COMMISSION ACTION:**

Pursuant to Sections 111(d)(14), 112 and 115(b) of the Public Utility Regulatory Policies Act of 1978 as amended by the Energy Policy Act of 2005, this Commission is required to conduct an investigation and make a determination whether or not it is appropriate to set new standards for electric utilities to provide and install time-based meters and communications devices for each of their customers which enable such customers to participate in time-based pricing rate schedules and other demand response programs.

Under Section 112 of the revised Public Utility Regulatory Policies Act of 1978, there are certain exemptions as to the time limitations regarding consideration of these standards. Further, as observed in other jurisdictions, there is an apparent conflict between the time limitations set out in Section 111(d)(14)(F) and Section 112(b)(4)(B).

Since 99% of South Carolina's customers of regulated electric utilities are presently covered by time-of-day rate programs pursuant to Section 111(d)(3) of the 1978 provisions of the Act, and since the standards set forth in subparagraphs (a) and (c) of Sections 111(d)(14) are integrally related to the full consideration of Time-Based Metering and Communications presently being carried out by this Commission in this Docket, I move that we address the standards proposed in 111(d)(14)(A) and (C) as part of this Commission's full consideration of the appropriateness of further Time-Based Metering Standards in the present docket, and that those determinations be made by the two-year deadline set by Section 112(b)(4)(B).

|           |                                     |                                     |                          |       |                      |                   |
|-----------|-------------------------------------|-------------------------------------|--------------------------|-------|----------------------|-------------------|
| PRESIDING | <u>Hamilton</u>                     |                                     |                          |       | Session:             | Regular           |
|           | MOTION                              | YES                                 | NO                       | OTHER | Time of Session      | <u>2:30 PM</u>    |
| CLYBURN   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |       | APPROVED             | _____             |
| FLEMING   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |       | APPROVED STC 30 DAYS | _____             |
| HAMILTON  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |       | ACCEPTED FOR FILING  | _____             |
| HOWARD    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |       | DENIED               | _____             |
| MITCHELL  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |       | AMENDED              | _____             |
| MOSELEY   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |       | TRANSFERRED          | _____             |
| WRIGHT    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |       | SUSPENDED            | _____             |
|           |                                     |                                     |                          |       | CANCELED             | _____             |
|           |                                     |                                     |                          |       | SET FOR HEARING      | _____             |
|           |                                     |                                     |                          |       | ADVISED              | _____             |
|           |                                     |                                     |                          |       | CARRIED OVER         | _____             |
|           |                                     |                                     |                          |       | RECORDED BY          | <u>SCHMIEDING</u> |